## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

)
) ) 8:08CV357
) ) ORDER OF DISMISSAL ) ) ) )

The matter before the court is the plaintiff's Notice of Dismissal. Filing No. 7. The court finds that this matter should be dismissed without prejudice.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that, pursuant to FED. R. CIV. P. 41(a), the plaintiff's cause of action against the defendants is hereby dismissed in its entirety, without prejudice, and with the parties to be responsible for their own costs and attorney fees.

DATED this 9<sup>th</sup> day of October, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge